

### AMENDMENT PROPOSAL

1. Claims 1-3 are to be cancelled.

4. A model railroad car truck comprising:

a pair of axles, each said axle having two wheels at the ends thereof;

a truck frame;

a pair of electrical contact elements mounting said truck frame to said wheels, each said electrical contact element having two end portions in contact with and supported on tread surfaces of said wheels, and a middle portion supporting said truck frame; and

wherein, said electrical contact elements are configured to provide spring support for the truck frame on the wheel tread <sup>surfaces</sup> and to transmit electrical power between a vehicle and a track that are adapted to associate with said car truck.

5. A model railroad car truck according to claim 4, wherein, said truck frame includes a rectangular structure having cutouts at the bottom of the structure for accommodating said wheels that extend through the bottom of the structure.

6. A model railroad car truck according to claim 4, wherein, each said electrical contact element is positioned on one side of the truck, and said two end portions of said electrical contact element is supported on said wheels that are on said one side of the truck.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark T. Le whose telephone number is 571-272-6682.

04/27/2005 16:43 FAX 972 359 7466

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## Fax Cover Sheet

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Date 27 APR 2005

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To:

From:

Name MARK T. LE

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Comments

AMENDED CLAIMS APP # 10/828,511  
AS PER OUR TELEPHONE CONVERSATION

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PAGE 1/3 \* RCVD AT 4/27/2005 6:48:15 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-1/28 \* DNIS:2736682 \* CSID:972 359 7466 \* DURATION (mm-ss):01-20

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To: Examiner: Mark T. Le  
Art Unit 3617  
Phone 1 571 272 6882  
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Subject: Office Action Summary from USPTO of 25 Feb 2005  
Informal Amended Claims for Application Number 10/828,511  
(Publication Number US 2004/0255816A1)

From: Edmond Glen Chenier 1216 Brook Drive, Allen, Texas, 75002 Phone 1 972 396 7274

Mr. Le,

Thank you for your communication of 25 February 2005 regarding indefinite claims on my application for patent US 2004/0255816A1.

I wish to delete the original claims and discuss substitution of the claims below which are informal at this time and may undergo further amendment, additions, or deletions. From your advice I have attempted to make the claims more definite following the example of claims in Patent No. 5,373,791, 12-1994, Bach et al..

Also per your recommendation I have considered the structures of :

US-1,428,133	Rene Bienvenue et al.	09-1922
US-2,838,087	Bonanno Joseph L.	04-1953
US-3,076,288	Max Ernst	02-1963
US-3,870,115	Munzing, Robert	08-1972

In the prior art variations of electrical contact devices were to axles or wheel hubs in areas generally inaccessible for cleaning without having to first disassemble the locomotive. It is well know that such methods of contact collect dust and dirt which prevents reliable electrical contact unless periodically cleaned. An improvement gained by the instant invention is that the contact device rides on the wheel tread instead, giving the ability to maintain a clean electrical contact while cleaning the wheels themselves, which is a normal and accepted practice to remove dirt on the wheels that accumulates from the rails. Thus mechanical disassembly and/or additional cleaning of contact areas is avoided, reducing the maintenance required by the model locomotive operator.

A secondary feature of the instant invention is the downward bias afforded individually to each and every wheel. While Ernst makes mention of vertical wheel movement (column 2 lines 10-15) for (mechanical) power transmission, the use of the electrical contact device itself as the method of resilient and separate bias on each and every wheel towards the rail for both mechanical power transmission to the rail and electric current pickup from the rail does not seem to appear in prior art.

A third feature of the described embodiment is the ability to retrofit the electrical contact device into particular existing model locomotives that were manufactured without any form of electrical contact device at the wheels nor an intended means of easily attaching such a device. Since this embodiment has proved to be a successful and marketable item, and is easily copied by anyone with a home etching system or the manufacturer of the locomotive in which it is used, I regard this feature as the most important aspect at the present time and is the main reason I am applying for patent protection.

Please examine the following claims and advise further amendments.

Regards,  
E. Glen Chenier  
Phone 972 396 7274